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**UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK**

LUV N' CARE, LTD. and
ADMAR INTERNATIONAL, Inc.

Plaintiffs,

vs.

WALGREEN CO. and
KMART CORP.

Defendants.

CIVIL ACTION NO.

08-CIV 4457 (DC/HP)

PLEASE TAKE NOTICE that, upon the Declarations Jason R. Buratti, dated June 6, 2009, and Karin Kennedy, dated June 4 and June 5, 2009, and the exhibits thereto, and the accompanying Memorandum of Law in Support of Defendant Walgreen's Motion for Summary Judgment that Plaintiffs Luv N' Care, Ltd. and Admar Internaional, Inc.'s unregistered alleged trade dress is not legally protectable, and Local Rule 56.1 Statement, Defendant Walgreen Co. will move this Court before the Honorable Denny Chin, United States District Judge, at the United States Courthouse, 500 Pearl Street, New York, at a time to be designated by the Court, for an order, pursuant to

Federal Rule of Civil Procedure 56, granting summary judgment in favor of Walgreen, and for such other and further relief as the Court deems appropriate.

PLEASE TAKE FURTHER NOTICE that, pursuant to the schedule set by the Court, opposing papers must be served on June 29, 2009, and reply papers served on July 13, 2009.

Dated: New York, New York
June 9, 2009

SCHLAM STONE & DOLAN LLP

By: 

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